FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

**Application No.** 18812 **Filed** June 19, 1959, **at** 4:50 **P. M.**
(Applicant must not fill in the above blanks)

# APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED February 17, 1960.

The United States of America, pursuant to the provisions of the Act of June 17,1902 (32Stat.388),and acts amendatory thereof or supplementary thereto, known as the Federal Reclamation laws, and acting for this purpose by H. P. Dugan, Regional Director, Bureau of Reclamation, Region 2, P. O. Box 2511, Sacramento 11, County of Sacramento, State of California, acting for this purpose by delegation of authority from the Secretary of the Interior through the Commissioner of the Bureau of Reclamation, pursuant to the Act of Congress of December 19, 1941, c.595 (55 Stat. 842), does hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

## Source, Amount, Use and Location of Diversion Works

1. **The source** of the proposed appropriation is Calaveras River OVER
(Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed)

located in Calaveras County, tributary to San Joaquin River

2. **The amount of water** which applicant desires to appropriate under this application is as follows:

*(a)* For diversion to be directly applied to beneficial use ~~1000~~ 200 cubic feet per second (1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day), to be diverted from about November 1 (Beginning date) to about ~~June 30~~ May 1 (Closing date) of each ~~year~~ season. D 1179 D 1179

*(b)* For diversion to be stored and later applied to beneficial use ~~500,000~~ 325,000 (see supplement) acre-feet (1 acre-foot equals 325,851 gallons) per annum, to be collected between about November 1 (Beginning date) and about ~~June 30~~ May 1 (Closing date) of each season. D 1179 D 1179 D 1179

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. If amount under (*a*) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. **The use** to which the water is to be applied is for use authorized under the Federal Reclamation laws for irrigation, municipal, industrial and incidental domestic and recreational purposes.
(Domestic, irrigation, power, municipal, mining, industrial, recreational)

4. **The point of diversion** is to be located at New Hogan Dam N58°E, 940' from SW corner Section 31, T4N, R11E, MDB&M
(State bearing and distance or coordinate distances from section or quarter section corner)

being within the SW¼ of SW¼
(State 40-acre subdivision of public land survey or projection thereof)

of Section 31, T. 4N, R. 11E, M.D. B. & M., in the County of Calaveras (see supplement)

5. **The main conduit** terminates in see supplement Sec. ____, T. ____, R. ____, ____ B. & M.
(State 40-acre subdivision of U. S. Government survey or projection thereof)

## Description of Diversion Works

**NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.**

6. **Intake or Headworks** (fill only those blanks which apply)

*(a)* Diversion will be made by pumping from (see supplement)
(Sump, offset well, unobstructed channel, etc.)

*(b)* Diversion will be by gravity, the diverting dam being (see supplement) feet in height (stream bed to level of overflow); ____ feet long on top; and constructed of ____
(Concrete, earth, etc.)

*(c)* The storage dam will be New Hogan Dam (see accompanying drawing No. 155-208-187) 200 feet in height (stream bed to spillway level); 1960 feet long on top; have a freeboard of 5' at spillway design flood pool elev. 720 feet, and be constructed of rock and earthfill
(Concrete, earth, etc.)

7. **Storage Reservoir** New Hogan (see accompanying drawing No. 155-208-186)
(Name)

The storage reservoir will flood lands in Sections 13, 14, 15, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, and 33, T4N, R11E, and 5, 6, 7, 8, 17, and 18, T3N, R11E, MDB&M (at gross pool, Elev. 713.0)
(Indicate section or sections, also 40-acre subdivisions unless shown upon map)

It will have a surface area of 4410 acres, and a capacity of 325,000 acre-feet. If reservoir has a capacity of 25 acre-feet or more fill in the following: Diameter of outlet pipe ____ inches; length ____ feet; difference in elevation from spillway level to highest point of outlet pipe ____ feet; fall in pipe ____ feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. **Conduit System** (describe main conduits only) (see supplement)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____
Cross out two not used

feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials

of construction _____
Earth, rock, timber, etc.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per

1,000 feet; total fall/lift from intake to outlet _____ feet; kind _____
Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. **The estimated capacity of the** ~~diversion conduit or pumping plant proposed is~~ outlet works at New Hogan Dam 14,600 cubic feet per second
State cubic feet per second or gallons per minute

**The estimated cost of** ~~the diversion works proposed is~~ New Hogan Dam and Reservoir $17,500,000 at (July 1959 prices (see supplement)
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

## Completion Schedule

10. **Construction work** will begin on or before 1965

Construction work will be completed on or before 1970

The water will be completely applied to the proposed use on or before 1990

## Description of Proposed Use

11. **Place of Use.** (see supplement)
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? No (Yes or No) Jointly? No (Yes or No)
All joint owners should include their names as applicants and sign application at bottom of third page.

Contracts will be negotiated with representatives of owners.
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Other Rights.** Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

| Nature of Right (riparian, appropriative, purchased water, etc.) | Year of First Use | Use made in recent years including amount if known | Season of Use | Source of Other Supply |
|---|---|---|---|---|
| 1. unknown | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| | | | | |

Attach supplement at top of page 3 if necessary.

13. **Irrigation Use.** The area to be irrigated is (see supplement) acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres;

orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about January 1 (Beginning date) and end about December 31 (Closing date)

14. **Power Use.** The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will / will not be returned to _____ in _____ of
Name stream — State 40-acre subdivision

Sec. _____, T. _____, R. _____, _____ B. & M.

2-1-80 Name chgd to U. S. Water + Power Res. Service

SUPPLEMENT TO APPLICATION 18812

Paragraph 2: AMOUNT OF WATER

This application covers the use of the same storage facilities as provided in companion Application 18813 for municipal and industrial purposes. The two applications provide for a nominal total storage of 750,000 acre-feet per season and a total direct diversion rate up to 1,500 c.f.s. However, the maximum seasonal storage and rate of direct diversion under these applications for all purposes applied for, will not exceed 500,000 acre-feet and 1,000 c.f.s. respectively, since the maximum irrigation and municipal and industrial uses are not expected to occur in the same years. Initially, most of the water will be used for irrigation purposes, but as the municipal and industrial needs increase, the irrigation use will decrease until by 1990 approximately 50 percent of the water applied for may be used for municipal and industrial purposes.

Paragraph 3: USE

This water is for use by the United States of America through existing and future facilities. Some of this water may also be used by State or Federal agencies, authorities, associations, public or private corporations, political subdivisions, and other agencies, either as a primary or supplemental supply.

Paragraph 4: POINTS OF DIVERSION

Points of diversion and/or rediversion for the water applied for in this application are at New Hogan Dam and at various other points as may be required to meet future needs for project water.

Paragraph 5: THE MAIN CONDUIT TERMINATES IN

The main conduit will be the Calaveras River which terminates at is mouth, located in Section 1, T. 1 N., R. 5 E., M.D.B.&M.

Paragraph 6: INTAKE OR HEADWORKS

Pump or gravity diversion intakes or headworks will be constructed or utilized in accordance with the need for water.

Paragraph 8: CONDUIT SYSTEM

The main conduit will be the Calaveras River. Additional or alternate conduits will be utilized or constructed as required.

Paragraph 9: ESTIMATED COST OF DIVERSION WORKS

The $17,500,000 cost does not include any rediversion intakes, headworks, or conduits.

Paragraph 11: PLACE OF USE

The water will be used within the service areas of districts, municipalities, water companies, corporations, and other legal entities within the gross area of 579,000 acres delineated on the attached map, Drawing No. 155-208-190 as the potential service area, provided that the delivery of the water is conditioned upon execution of valid contracts.

Contracts for the sale of water with rights to the water to vest in the contractor upon the payment of the contractual obligations will be negotiated and executed under the provisions of the Federal Reclamation laws, and the applicable laws of the State of California.

The water applied for in this application is primarily for use within the potential service area designated on the Potential Service Area map No. 155-208-190 accompanying this application. However,

during early stages of the project operations, some surplus project water may be available for use within the designated service area of the Central Valley Project. (0000300)

Paragraph 13: IRRIGATION USE

Portions of the area within the described place of use will be furnished a full or supplemental water supply developed from Calaveras River in accord with rights acquired by the United States of America, and under contracts with the United States or other authorization which may be made or given by authority and pursuant to law. Other portions of this overall area are or will be served in part or entirely with water under lawful rights acquired and used independently of the United States.

Of the estimated 320,000 acres of irrigable land within the overall service area, (Drawing No. 155-208-190), the water applied for in this application would provide a full supply to an estimated 15,000 acres; or would provide a supplemental supply to approximately 45,000 to 60,000 acres.

The general crop segregation of the irrigable acreage is expected to approximate the following:

| | |
|---|---|
| Pasture | 44% |
| Orchard & vineyards | 18% |
| Alfalfa | 9% |
| Miscellaneous crops | 29% |
| | 100% |

(0000800)

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

_____

_____

_____

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim

_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water will / will not be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

and it will / will not be returned to _____ in _____ of
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Other Uses.** The nature of the use proposed is for incidental domestic, and recreational
Industrial, recreational, domestic, stockwatering, fish culture, etc.

purposes

State basis of determination of amount needed. As required for beneficial use within the
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

proposed service area.
industrial use, and unit requirements

## General

18. Are the maps as required by the Rules and Regulations filed with Application? Yes. If not,
Yes or No

state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? No. If not, give name and
Yes or No

address of owner and state what steps have been taken to secure right of access thereto Lands necessary for

project operations will be acquired as needed.

20. What is the name of the post office most used by those living near the proposed point of diversion?

Valley Springs

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Calaveras County Water District, Stockton and East San Joaquin Water

Conservation District, City of Stockton, and others unknown.

/s/ H. P. Dugan
Regional Director
Region 2, Bureau of Reclamation

[SIGNATURE OF APPLICANT]

APPLICANT MUST NOT FILL IN BLANKS BELOW

# PERMIT No. 14434

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used and shall not exceed 200 cubic feet per second by direct diversion and 325,000 acre-feet per annum by storage to be diverted and collected from about November 1 of each year to about May 1 of the succeeding year at New Hogan Reservoir. (0000005)

2. The maximum amounts herein stated may be reduced in the license if investigations warrant. (0000006)

3. This permit does not authorize collection of water to storage during the period from May 1 to November 1 of each year to offset evaporation or seepage losses, or for any other purpose. (0000005)

4. Complete application of the water to the proposed uses shall be made on or before December 1, 1990. (0000009)

5. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued. (0000010)

6. All rights and privileges under this permit including methods of diversion, methods of use and quantities of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said waters. (0000012)

7. In accordance with requirements of the Water Code, Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes. (0120050)

8. Diversions shall be made under this permit only during such times as surface flow exists in the stream channel between New Hogan Dam and a point on the Calaveras River Channel below its confluence with the Stockton Diversion Canal within projected Section 26, T2N, R6E, MDB&M. (0360900)

9. Permittee shall allow representatives of the State Water Rights Board or other parties as may be authorized from time to time by said Board reasonable access to the project works to determine compliance with the terms of the permits. (0000011)

10. This permit and all rights acquired or to be acquired thereunder are and shall remain subject to appropriations of water above New Hogan Reservoir under permits issued or to be issued pursuant to applications filed with the State Water Rights Board prior to December 1, 1963, and to subsequent applications for reasonable quantities of water for stockwatering within the Calaveras River watershed. (0230800)

*This permit is issued and permittee takes it* subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

14434

*Dated:* JUL 22 1964

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer